REMARKS

Examiner Interview

Applicant thanks the Examiner for the courtesy of the telephone interview on October 30, 2003 in which Applicant's counsel discussed the Examiner's requirement to amend the priority information with a PCT application serial number. Applicant's counsel pointed out that the missing serial number was actually for a second U.S. Provisional application.

Amendments

Amendments to the Claims

Applicant has amended the claims to define the claim terms as they are set forth in the specification. Further amendments have been made to clarify the claim language and to correct improper dependencies and informalities. No new matter has been added as a result of these amendments.

Objections

Objections to the Specification

The Examiner objected to the specification as informal because of a missing serial number in the priority information. Applicant has amended the specification to include the appropriate U.S. Provisional application serial number and respectfully requests the withdrawal of the objection to the specification.

Objections to the Claims

The Examiner objected to claims 1, 6 and 13 as informal. Applicant has amended the claims accordingly and respectfully requests the withdrawal of the objection to claims 1, 6 and 13.

Rejections

Rejections under 35 U.S.C. § 103
Claims 1-16

Claims 1-16 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,579,471 to Barber, et al in view of U.S. Patent No. 6,492,998 to Kim. Kim qualifies as prior art only under 35 U.S.C. § 102(e) because its issue date is after Applicant's filing date Applicant does not admit that Kim is prior art and reserves the right to swear behind the reference at a later date. Nonetheless, Applicant respectfully submits that the combination does not teach each and every element of the invention as claimed in claims 1-16

Kim discloses a browsing system the allows a user to find scenes in a video based on the content of the scene. Kim creates a database of representative scenes that contains the objects and events of the scenes and linkages between the objects and events that represent relationships. The database also specifies the location of the key frame for each representative scene. In order to find a scene, the user searches the database using the objects, events and relationships as keys.

Barber discloses an image database that can be searched on the visual characteristics of the images.

The Examiner is relying on Kim as teaching Applicant's claimed key attribute, value attribute and the modification of the value attribute. The Examiner is relying on Barber as teaching Applicant's claimed length attribute and attribute group weight. However, neither reference teaches key, value or length attributes as defined by Applicant in the amended claims. The Examiner is equating Applicant's key attribute with an important element in Kim's key frame, such as a location. In contrast, Applicant's key attribute identifies a data type. As known in the art, a data type is not equivalent to a particular element, such as a particular object, event, location, or relationship. The Examiner is equating Applicant's value attribute with a particular element in Kim's key frame. In contrast, Applicant's value attribute incorporates further attributes used to instantiate the data type identified by the key attribute. The Examiner is equating Applicant's length attribute with a size or distance characteristics of an image in Barber. In contrast, Applicant's length attribute specifies a length of the value attribute. The

Examiner is equating Applicant's group weight with Barber's weighting of a particular characteristics of an image. However, Applicant's weight is attached to a KLV group, while each weight in Barber is assigned to a single image characteristic.

Furthermore, Applicant respectfully submits that the Examiner has misinterpreted Kim. There is no disclosure in Kim that teaches or suggests that the database can be modified after it is created, nor that the selection of a key frame for a representative scene can be changed. Since the video to which the database refers does not change, changing the database would cause Kim's browser to be unable to find the scenes or to be unable to display the right frame as the key frame.

Because the combination of Kim and Barber does not teach or suggest each and every limitation of Applicant's invention as claimed in claims 1-16, Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

New Claims

New dependent claims 17-19 have been added to claim additional aspects of the value attribute Applicant respectfully submits claims 17-19 are allowable for at least the reasons set forth above for claims 1, 6 and 13, from which they depend.

SUMMARY

Claims 1-19 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-3476.
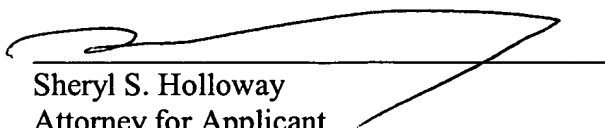
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR
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Dated: 16./.24 , 2003

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